

REMARKS

Claims 1, 3 through 10, 12 through 28, and 30 through 36 are pending in this Application. Claims 1, 10, 19 through 21, 24, 27, 28, and 30 through 36 have been amended Care has been exercised to avoid the introduction of new matter. Adequate descriptive support for the present Amendment should be apparent throughout the originally filed disclosure as, for example, Abstract, FIGs. 1 and 4, ¶¶[0006], [0019], [0029] and [0034] through [0026], [0040], [0042], and [0043] of the corresponding US Pub. No. 2005/0021976. Applicant submits that the present Amendment does not generate any new matter issue.

Claims 1, 4 though 6, 8 through 10, 13 though 15, 17 through 19, 22 though 28, 32, and 33 were rejected as obvious under 35 U.S.C. §103(a) based on *Geiger et al.* (US 6,377,810, “*Geiger*”) in view of *Shurygalio et al.* (US 2004/0093502, “*Shurygalio*”).

In stating the rejection, the Examiner asserted that one having ordinary skill in the art would have been led to modify the wireless communication system of *Geiger*, that uses a GPS receiver to generate location information, by including the token of *Shurygalio*, to provide efficient and effective authorization in the network environment. Applicant respectfully traverses this rejection.

The claimed inventions advantageously enable a user device (e.g., a wireless terminal) to subscribe to one or more notifications of the event-based information (e.g., presence, location information, content and/or service availability) in a manner that does not require the user device to send out access requests prior to an expiration time of the subscription to the event-based information (¶¶ [0019], [0034], [0035]).

Independent claims 1, 10, 19, and 28 recite, *inter alia*, “transmitting a subscription message from the second network entity to an event server configured to maintain the event, wherein the subscription message includes the authorization and an event package describing the event-based information, **the authorization including subscription to notifications of the event-based information by the second network entity that does not require the second network entity to send out access requests prior to an expiration time of the subscription.**”

Applicant respectfully contends that none of the applied references, taken singly or in any combination, disclose or suggest the above-described independent operations of a wireless terminal. After the initial authorization, *Geiger*, at best, allows a requester to send out a subsequent request to the server for event-based information without attaching thereto the initial authorization. However, the requester in *Geiger* still needs to send out requests to get the event-based information, rather than “subscribing to notifications of the event-based information by the second network entity that does not require the second network entity to send out access requests prior to an expiration time of the subscription”, as recited in the claimed inventions.

The secondary reference to *Shurygalio* does not cure the previously argued deficiencies of *Geiger*. *Shurygalio* is said to disclose a token for accessing event-based information. However, a token is intended for a single use. Although one embodiment of *Shurygalio* allows future access based on the initial token (¶ [0029]), the user still needs to take actions to access event-based information available in a website or the like, rather than just passively receiving notifications of the event-based information. *Shurygalio* is silent with respect to and, hence, would not have led one having ordinary skill in the art to “subscribe to notifications of the event-based information by the second network entity that does not require the second network entity to

send out access requests prior to an expiration time of the subscription”, as recited in the claimed inventions.

It is therefore apparent that even if the applied references are combined as proposed by the Examiner, and Applicant does not agree that the requisite realistic motivation has been established, the claimed inventions would not result. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044 (Fed. Cir.1988). Applicant, therefore, submits that the imposed rejection of claims 1, 4 though 6, 8 through 10, 13 though 15, 17 through 19, 22 though 28, 32, and 33 under 35 U.S.C. § 103 for obviousness based on *Geiger* in view of *Shurygalio* is not factually or legally viable and, hence, solicit withdrawal thereof.

Claims 3, 12, 20, and 30 were rejected as obvious under 35 U.S.C. §103(a) based on *Geiger* in view of *Shurygalio* and *Ganesh* (US 6,999,777, “*Ganesh*”).

This rejection is traversed.

Specifically, claim 3 depends from independent claim 1, claim 12 depends from independent claim 10, claim 20 depends from independent claim 19, and claim 30 depends from independent claim 28. Applicant incorporates herein the arguments previously advanced in traversing the imposed rejection of claims 1, 10, 19, and 28 under 35 U.S.C. § 103 for obviousness based on the combined disclosures of *Geiger* and *Shurygalio*. The tertiary reference to *Ganesh* does not cure the previously argued deficiencies in the attempted combination of *Geiger* and *Shurygalio*. Accordingly, even if the applied references are combined as proposed by the Examiner, and again Applicant does not agree that the requisite basis to support the asserted motivation has been established, the claimed inventions would not result. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, *supra*. Applicant, therefore, submits that the imposed rejection of claims 3,

12, 20 and 30 under 35 U.S.C. § 103 for obviousness predicated upon *Geiger* in view of *Shurygalio* and *Ganesh* is not factually or legally viable and, hence, solicits withdrawal thereof.

Claims 4, 6, 8, 9, 13, 15, 17, 18, 21, and 31 were rejected as obvious under 35 U.S.C. §103(a) based on *Geiger* in view of *Shurygalio* and *McCann at al.* (US 2004/0064707, “*McCann*”).

This rejection is traversed.

Specifically, claims 4, 6, 8, and 9 depend from independent claim 1, claims 13, 15, 17, and 18 depend from independent claim 19, claim 21 depends from independent claim 19, and claim 31 depends from independent claim 28. Applicant incorporates herein the arguments previously advanced in traversing the imposed rejection of claims 1, 10, 19, and 28 under 35 U.S.C. § 103 for obviousness based on the combined disclosures of *Geiger* and *Shurygalio*. The tertiary reference to *McCann* does not cure the previously argued deficiencies in the attempted combination of *Geiger* and *Shurygalio*. Accordingly, even if the applied references are combined as proposed by the Examiner, and again Applicant does not agree that the requisite basis to support the asserted motivation has been established, the claimed inventions would not result. *Uniroyal, Inc. v. Rudkin-Wiley Corp., supra*. Applicant, therefore, submits that the imposed rejection of claims 4, 6, 8, 9, 13, 15, 17, 18, 21 and 31 under 35 U.S.C. § 103 for obviousness predicated upon *Geiger* in view of *Shurygalio* and *McCann* is not factually or legally viable and, hence, solicits withdrawal thereof.

Claims 7 and 16 were rejected as obvious under 35 U.S.C. §103(a) based on *Geiger* in view of *Shurygalio* and *Pujare et al.* (US 2002/0083183, “*Pujare*”).

This rejection is traversed.

Specifically, claim 7 depends from independent claim 1, and claim 16 depends from independent claim 10. Applicant incorporates herein the arguments previously advanced in traversing the imposed rejection of claims 1 and 10 under 35 U.S.C. § 103 for obviousness based on the combined disclosures of *Geiger* and *Shurygalio*. The tertiary reference to *Pujare* does not cure the previously argued deficiencies in the attempted combination of *Geiger* and *Shurygalio*. Accordingly, even if the applied references are combined as proposed by the Examiner, and again Applicant does not agree that the requisite basis to support the asserted motivation has been established, the claimed inventions would not result. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, *supra*. Applicant, therefore, submits that the imposed rejection of claims 7 and 16 under 35 U.S.C. § 103 for obviousness predicated upon *Geiger* in view of *Shurygalio* and *Pujare* is not factually or legally viable and, hence, solicits withdrawal thereof.

Claims 34 through 36 were rejected as obvious under 35 U.S.C. §103(a) based on *Geiger* in view of *Shurygalio* and *Karmouch et al.* (US 7,240,015, “*Karmouch*”).

This rejection is traversed.

Specifically, claim 34 depends from independent claim 10, claim 35 depends from independent claim 19, and claim 36 depends from independent claim 1. Applicant incorporates herein the arguments previously advanced in traversing the imposed rejection of claims 1, 10 and 19 under 35 U.S.C. § 103 for obviousness based on the combined disclosures of *Geiger* and *Shurygalio*. The tertiary reference to *Karmouch* does not cure the previously argued deficiencies in the attempted combination of *Geiger* and *Shurygalio*. Claims 34 through 36, the patentability

of which is separately advocated, recites that the subscription has a **zero** expiration time. In contrast, the subscription message in *Karmouch* has a **positive, non-zero** expiration time.

Accordingly, even if the applied references are combined as proposed by the Examiner, and again Applicant does not agree that the requisite basis to support the asserted motivation has been established, the claimed inventions would not result. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, *supra*. Applicant, therefore, submits that the imposed rejection of claims 34 through 36 under 35 U.S.C. § 103 for obviousness predicated upon *Geiger* in view of *Shurygalio* and *Karmouch* is not factually or legally viable and, hence, solicits withdrawal thereof.

Based upon the foregoing, it is apparent that the imposed rejections have been overcome, and that all pending claims are in condition for allowance. Favorable consideration is therefore solicited. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at 703-519-9954 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

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